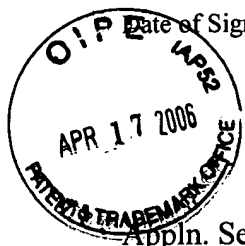


DAC/IFW
(I) \$

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Date of Signature and Deposit: April 12, 2006

Zhibin Ren, Reg. No. 47,897

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 10/636,109

Group Art Unit: 1617

Filing Date: August 7, 2003

Examiner: Clardy, S. Mark

Applicants: Rowley, Keith et al.

Attorney Docket No.: 700798.90116

Title: USE OF CERTAIN N-ACYLETHANOLAMINES TO ACHIEVE ETHYLENE- AND CYTOKININ-LIKE EFFECTS IN PLANTS AND FUNGI

Application for Patent Term Adjustment under 37 C.F.R. § 1.705(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On the Notice of Allowance mailed March 30, 2006 in the above-identified case, the patent term adjustment to date was indicated to be 268 days. Applicants believe that the USPTO made a mistake in calculating the above and the correct patent term adjustment to date is 345 days.

Statement of the Facts

- (i) The correct patent term adjustment under 37 C.R.R. § 1.702(a)(1) is 350 days.
- (ii) The relevant dates under 37 C.R.R. § 1.703(a)(1) are the filing date of August 7, 2003 and the mailing date of the first office action of September 22, 2005.
- (iii) The patent is not subject to a terminal disclaimer.
- (iv)(A) Applicants filed a response to the office action of September 22, 2005 and the response was received by the USPTO on December 27, 2005. See Exhibit A submitted herewith. Therefore, there was a delay of 5 days by applicants under 37 C.R.R. § 1.704.

(iv)(B) Applicants filed a Supplemental Information Disclosure Statement (Supplemental IDS) listing U.S. patent 5,129,950 on February 21, 2006, which was received by the USPTO on February 27, 2006. See Exhibit B submitted herewith. Applicants note said Supplemental IDS contained a typographical error in that the "Supplemental PCT International Search Report (mailed January 18, 2006)" referred to therein should have been "a supplemental European Search Report issued on January 23, 2006 in the corresponding European patent application." In this regard, the supplemental European Search Report is attached as Exhibit C, which shows that U.S. patent 5,129,950 was cited and the issue date of the Report was January 23, 2006. Therefore, applicants filed the Supplemental IDS within 30 days of the receipt of the supplemental European Search Report. Under 37 C.R.R. § 1.704(d), the filing of the Supplemental IDS does not constitute a failure to engage in reasonable efforts to conclude processing or examination of the instant application as set forth in 37 C.R.R. § 1.704.

Summary

The correct patent term adjustment to date should be 345 days (350 days minus 5 days). Applicants respectfully request adjusting the patent term adjustment as indicated on the Notice of Allowance to 345 days.

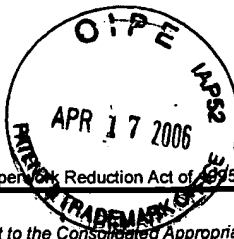
Fees

Please charge the fee in connection with this application to Deposit Account No. 17-0055. No other fees are believed to be due. However, if other fees are due, please charge the same deposit account.

Respectfully submitted,



Zhibin Ren, Reg. No.: 47,897
Attorney for Applicants
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411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
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PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200.00

Complete if Known

Application Number	10/636,109
Filing Date	August 7, 2003
First Named Inventor	Rowley, Keith
Examiner Name	S. Mark Clardy
Art Unit	1617
Attorney Docket No.	700798.90116

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 17-0055 Deposit Account Name: Quarles & Brady LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Application for Patent Term Adjustment

Fees Paid (\$)

200.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 47,897	Telephone 414-277-5633
Name (Print/Type)	Zhibin Ren		Date April 12, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc. No. 5882713



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Date of Signature and Deposit: December 22, 2005


Zhibin Ren, Reg. No. 47,897

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 10/636,109

Group Art Unit: 1617

Filing Date: August 7, 2003

Examiner: Clardy, S. Mark

Applicants: Rowley, Keith et al.

Attorney Docket No.: 700798.90116

Title: USE OF CERTAIN N-ACYLETHANOLAMINES TO ACHIEVE ETHYLENE- AND CYTOKININ-LIKE EFFECTS IN PLANTS AND FUNGI

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 22, 2005, Applicants request favorable reconsideration in view of the following amendments and accompanying remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.